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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/430,406	10/29/1999	SHELL S. SIMPSON	10991367-1	7266

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FORT COLLINS, CO 80527-2400

EXAMINER

EVANS, ARTHUR G

ART UNIT	PAPER NUMBER
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2622

DATE MAILED: 05/07/2003

3

Please find below and/or attached an Office communication concerning this application or proceeding.

11

Office Action Summary

Application No.

09/430,406

Applicant(s)

SIMPSON ET AL.

Examiner

Arthur G. Evans

Art Unit

2622

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on _____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s) _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 3-8, 10-15, 17-20 are rejected under 35 U.S.C. 102(b) as being anticipated by Filion et al. Note “assessing what portion of a print job has been processed” (see lines 11–13 in column 10), “displaying a status of the print job reflecting the portion of the print job that has been processed” (see front figure and lines 11–13 in column 10), “iterating assessing and displaying until assessing determines that the print job has been entirely processed” (see flow loop in figure 6 which includes document total known, job in process, estimate & display time to completion and display percent of job complete) and “terminating the print job when assessing determines that the print job has been entirely processed” (processing ends when it is completed) of Filion et al as claimed in claim 1. Note “displaying a print job complete message when assessing determines that the print job has been entirely processed” (displaying zero time remaining) of Filion et al as claimed in claim 3. Note “displaying a user-selectable feature control” (see lines 26-39 in column 5) of Filion et al as, claimed in claim 4. Note “determining when the user has selected the user-selectable feature control and then displaying a list of user-selectable features instead of displaying the status” (user selects program mode, see figure 4 and lines 55-23 of columns 5-6) of Filion et al as claimed in claim 5. Note “interrupting the print job when the user has selected the user-selectable feature control” (interrupt button is available for user to change selected

features, see lines 51-52 in column 5) of Filion et al as claimed in claim 6. Note "re-starting the print job when the user provides a print command" (start button is pressed by user after requested interruption is over, see lines 44-52 in column 5) of Filion et al as claimed in claim 7.

Claims 8, 10-14 are directed to essentially the same invention, as respective claims 1, 3-7, except they are an "article of manufacture comprising a computer usable medium having computer readable code" is claimed in independent claim 8. The article of manufacture is the finished print job of Filion et al. The computer usable medium having computer readable code is the hard disk 115a of Filion et al.

Claims 15, 17-20 are directed to essentially the same invention, as respective claims 1, 3-7, except "computer implemented printer control system with "memory operative to store files representing at least on document to be printed" is claimed in independent claim 15. Filion et al discloses copier or printer, in the printer embodiment a computer with document storage would be inherent.

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

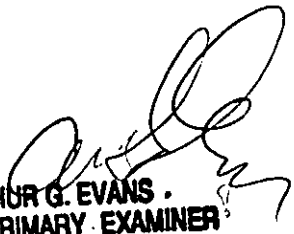
Claims 2, 9 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Filion et al in view of Masuda. Filion et al teaches the invention substantially as

claimed. However, Filion et al is silent to "translate (or translating) a portion of a print job to an intermediate representation in a printer driver, transfer (or transferring) the intermediate portion to the printer application and store (or storing) the intermediate portion of the print job in the printer application" as claimed. The above mention functions of translating, transferring and storing an intermediate representation are well known and taught by Masuda (see lines 11-24 of column 2 and lines 25-48 in columns 3-4) in the same field of endeavor as claimed. It would have been obvious to one of ordinary skill in the art at the time the invention was made to translate, transfer and store an intermediate representation as taught by Masuda in the system of Filion et al since images to be printed are seldom in the proper form for printing, thus translating, transferring and storing would usually be required before printing.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-3900.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Art Evans whose telephone number is (703) 305-9653.

May 3, 2003


ARTHUR G. EVANS
SENIOR PRIMARY EXAMINER